

Wetlands Bureau Decision Report

Decisions Taken
08/22/2005 to 08/28/2005

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

**1997-01793 KELLEY TTEE, EMMET
BERLIN Nontidal Wetland**

Requested Action:

Restore 42,842 square feet of previously impacted wetland and impact 16,957 square feet of man-made wetlands to construct a retail facility at White Mountain Lumber in Berlin. Mitigate project impacts by creating an additional 33,330 square feet of wetlands surrounded by 17,511 square feet of upland buffer.

Conservation Commission/Staff Comments:

In a letter dated 5/31/05, the City of Berlin stated that they have no Conservation Commission and that they urge the application to move forward as expeditiously as possible.

Inspection Date: 08/15/2005 by Craig D Rennie

APPROVE PERMIT:

Restore 42,842 square feet of previously impacted wetland and impact 16,957 square feet of man-made wetlands to construct a retail facility at White Mountain Lumber in Berlin. Mitigate project impacts by creating an additional 33,330 square feet of wetlands surrounded by 17,511 square feet of upland buffer.

With Conditions:

1. All work shall be in accordance with plans by York Land Services dated May 11, 2005, as received by the Department on June 2, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit is contingent on approval by the DES Site Specific Program.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow conditions.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

MITIGATION CONDITIONS:

13. This permit is contingent upon the restoration of 42,842 square feet of wetlands in accordance with plans received June 2, 2005.
14. This permit is contingent upon the creation of 33,330 square feet of wetlands surrounded by 17,511 square feet of upland buffer in accordance with plans received June 2, 2005.
15. The schedule for construction of the restoration/creation areas shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.

16. Wetland restoration/creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
17. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration/creation areas are constructed in accordance with the restoration/mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
18. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration/creation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restoration/creation site.
19. Wetland restoration/creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
20. The permittee shall delineate the wetlands within the restoration/creation sites, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
21. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
22. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration/creation areas during construction and during the early stages of vegetative establishment.
23. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is classified as a Major Project per Administrative Rule Wt 303.02(c), as wetland impacts are greater than 20,000 square feet.
2. On February 3, 1998, DES sent a letter to White Mountain Lumber about possible wetland violations on their property in Berlin.
3. Soon thereafter, White Mountain Lumber retained the services of Lobdell Associates to review the property on the west side of East Milan Road (along the Androscoggin River) for possible violations.
4. Lobdell Associates delineated the wetlands in the spring of 1998 and found 44,442 square feet of wetland impacts on the property, and in 1998 an overall wetland plan was developed to restore wetland areas and impact additional areas to construct a new retail facility and mill yard expansion.
5. On March 7, 2001, DES held a pre-application meeting with the applicant, Lobdell Associates, and Army Corps of Engineers (ACOE) staff. At this meeting, the applicant detailed their proposal to restore and create 141,920 square feet of wetlands and impact an additional 74,431 square feet to construct a new retail facility.
6. Shortly thereafter, White Mountain Lumber determined that they could not go forward with the plan (economic reasons) and an application was never submitted.
7. Under the current application request, White Mountain Lumber would now like to proceed with a plan for restoration, creation and additional wetland impacts for a smaller, scaled-down retail facility.
8. The current proposal is to restore 42,842 square feet of previously impacted wetland and impact 16,957 square feet of man-made wetlands to construct a retail facility. In addition, to mitigate the projects impacts, an additional 33,330 square feet of wetlands will be created and will be surrounded by 17,511 square feet of created upland buffer.
9. DES inspected the property on August 15, 2005, and found that most wetland areas have had historical disturbance from past land use activities.
10. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
11. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
12. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of this floodplain wetland system, and in fact, additional wetland areas will be restored and created on-site.

MINOR IMPACT PROJECT

2000-01210 SMITH JR REVOCABLE TRUST, ELIZABETH J & ROBERT F
GILFORD Lake Winnepesaukee

Requested Action:

Applicant requests an after the fact amendment to as built dock dimensions.

Conservation Commission/Staff Comments:

The Conservation Commission has no objection.

Inspection Date: 05/05/2000 by John J St. John

APPROVE AMENDMENT:

Amend permit to read:

1. Permanently remove all portions of an existing 12 ft by 13 ft deck from the area over public submerged lands.
2. Permanently remove from the department's jurisdiction: a 4 ft by 30 ft seasonal pier; an 8 ft by 12 ft deck over the bank; and a 10 ft by 35 ft long "L-shaped" pipe supported pier.
3. Construct a 6 ft by 35 ft crib-supported pier connected to a 4 ft by 35 ft pier by the existing 22 ft 1 in by 16 ft 8 in trapezoidal concrete deck over the water in a "U-shaped" configuration.
4. Install a wooden decking surface over the concrete deck and install a 10 ft by 35 ft seasonal canopy over the center slip.
5. Remove rocks from within the boat slip areas adjacent to the proposed piers (approx. 200 sq ft).
6. Retain and seasonally install two existing PWC lifts and an existing boatlift adjacent to the piers, on 190 feet of shoreline frontage on Dockham Shores, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with as built plans by R.C. Brown dated June 3, 2005, as received by the Department on June 6, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. These shall be the only docking structures on this water frontage.
4. A copy of the approved plan must be posted on site along with this permit.
5. No portion of this docking facility shall extend more than 55 feet from the shoreline at the full lake elevation.
6. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level.
7. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
8. The minimum clear spacing between cribs shall be 12 feet.
9. Appropriate siltation/erosion/turbidity controls must be in place prior to construction, maintained during construction, and remain in place until the area is stabilized.
10. The seasonal canopy shall be an open structure, without sidewalls.
11. The seasonal lifts and canopy shall be removed during the non-boating season.
12. Rock removal shall be limited to within the boat slips (as defined by Rule Wt 101.07).
13. Rocks removed from the lakebed shall be placed out of the Department of Environmental Services' jurisdiction, unless incorporated into the crib pier supports.
14. This permit does not allow for dredging of lake bottom sand and sediments.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483:B (see attached fact sheet).

With Findings:

1. This project is classified as a Minor Impact Project per Rules Wt 303.03(d).
2. The amended permit dimensions accurately reflect the actual dimensions of pre-existing structures not altered by the proposed work.

2001-00665 WELSH, RICHARD
KENSINGTON Unnamed Stream

Requested Action:

Dredge and fill a total of 8095 square feet of palustrine forested wetland for access to a proposed gravel pit.

Conservation Commission/Staff Comments:

See findings.

APPROVE PERMIT:

Dredge and fill a total of 8095 square feet of palustrine forested wetland for access to a proposed gravel pit.

With Conditions:

1. All work shall be in accordance with plans by Landry Surveying LLC dated December 2004, and revised through June 2005, as received by the Department on June 20 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on restoration of 3240 square feet of previously disturbed wetlands which shall be fully implemented by October 15, 2005.
4. Restoration activities shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program Water Division permitting staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. The boundaries of the wetland buffer shall be clearly marked prior to construction, shall be remain marked for the life of the gravel pit.
8. Work shall be done during periods of non-flow.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h); Projects involving less than 20,000 square feet of

alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 11, 2004. Field inspection determined wetlands on the site had been disturbed.
6. The applicant has provided a copy of the superior court decision requiring the access to come off of State Rte 150.
7. The conservation commission is opposed to the application as it may lead to future development of the lot. The applicant has stated that they only intend to utilize this area as a gravel pit.
8. The applicant has provided a restoration plan for the previously disturbed wetland area.
9. The applicant has provided a 100 foot buffer along the perennial stream to protect water quality of that resource.

2004-00664 CROSS MILL VILLAGE LLC
NORTHFIELD Unnamed Wetland

Requested Action:

Approve name change to: D & M Barton Limited Partnersjip, 206 Fair St., Laconia, NH 03246 per request received 8/23/2005.

Conservation Commission/Staff Comments:

The conservation commission indicated they were concerned with sedimentation into the Winnepesaukee River and the lack of snow storage on the plans.

Inspection Date: 07/07/2004 by Jocelyn S Degler

APPROVE NAME CHANGE:

Dredge and fill 9128 square feet of palustrine forested wetland in 11 locations and including installation of 6 culverts impacting 170 linear feet of intermittent stream for access in the residential development of 50.67 acres.

With Conditions:

1. All work shall be in accordance with plans by Lepene Engineering and Surveying dated July 13, 2004, and revised through September 13, 2004, as received by the Department on September 15, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.

13. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. There shall be a vegetated drainage swale on the south side of Terrace Road extension hydrologically connecting wetland W1C with wetland W4.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. Silt fencing must be removed once the area is stabilized.
19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2005-00399

MORRIS, MICHAEL & MARY JOAN

RYE Atlantic Ocean

Requested Action:

Riprap 2.5ft x 2ft x 50 linear ft of an existing retaining wall on the Atlantic Ocean with 50 ft of shoreline frontage.

Conservation Commission/Staff Comments:

The Rye Conservation Commission recommends approval.

Inspection Date: 05/04/2005 by Eben M Lewis

APPROVE PERMIT:

Riprap 2.5ft x 2ft x 50 linear ft of an existing retaining wall on the Atlantic Ocean with 50 ft of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Michael Welch dated 5/20/05, as received by the Department on 6/3/05.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
5. There shall be no further alteration of jurisdictional area for lot development and any other construction related activities.
6. Work shall be done during low tide.
7. Present vegetation on top of the wall shall remain.
8. The riprap shall not extend more than 2.5ft seaward.
9. Native dune vegetation shall be planted within the riprap.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a) Projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state or within 100 feet of the highest observable tide line that do not meet any of the criteria of Wt 303.02, Wt 303.04 or Wt 303.05;
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted a field inspection of the proposed project on 5/4/05.

6. NH Natural Heritage Inventory (NHNHB) has record of two state threatened plant species within the project vicinity, Hairy Hudsonia (*Hudsonia tomentosa*) and Sand Drop-Seed (*Sporobolus cryptandrus*). NHNHB also has record of one plant species of special concern within the project vicinity, Beach Grass (*Ammophila breviligulata*).

7. DES finds that none of the NHNHB identified items will be impacted as a result of this project, as the area of impact is seaward of any existing vegetation.

8. A letter dated 3/14/05, from the Rye Conservation Commission recommends approval of the project while recommends that the wall not exceed 2.5ft. seaward; leaving any existing materials between the house and seawall; and maintain existing vegetation and plant native species within the new riprap.

9. Pursuant to 304.04, the applicant received written concurrence from all abutters relative to those impacts within 20-feet of their property boundary.

2005-00400 ODOWD, MARY ALICE
RYE Atlantic Ocean

Requested Action:

Riprap 2.5ft x 2ft x 50 linear ft of an existing retaining wall on the Atlantic Ocean with 50 ft of shoreline frontage.

Conservation Commission/Staff Comments:

The Rye Conservation Commission recommends approval of the proposed project.

Inspection Date: 05/04/2005 by Eben M Lewis

APPROVE PERMIT:

Riprap 2.5ft x 2ft x 50 linear ft of an existing retaining wall on the Atlantic Ocean with 50 ft of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Michael Welch dated 11/9/04, as received by the Department on 8/8/2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. DES Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
5. There shall be no further alteration of jurisdictional area for lot development and any other construction related activities.
6. Work shall be done during low tide.
7. Present vegetation on top of the wall shall remain.
8. The riprap shall not extend more than 2.5ft seaward.
9. Native dune vegetation shall be planted within the riprap.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(a) Projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state or within 100 feet of the highest observable tide line that do not meet any of the criteria of Wt 303.02, Wt 303.04 or Wt 303.05;
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on 5/4/05.
6. NH Natural Heritage Inventory (NHNHB) has record of two state threatened plant species within the project vicinity, Hairy

Hudsonia (Hudsonia tomentosa) and Sand Drop-Seed (Sporobolus cryptandrus). NHNHBB also has record of one plant species of special concern within the project vicinity, Beach Grass (Ammophila breviligulata).

7. DES finds that none of the NHNHBB identified items will be impacted as a result of this project, as the area of impact is seaward of any existing vegetation.

8. A letter dated 3/14/05, from the Rye Conservation Commission recommends approval of the project while recommends that the wall not exceed 2.5ft. seaward; leaving any existing materials between the house and seawall; and maintain existing vegetation and plant native species within the new riprap.

9. Pursuant to 304.04, the applicant received written concurrence from all abutters relative to those impacts within 20-feet of their property boundary.

2005-00457 BBE REALTY LLC
BELMONT Unnamed Wetland

Requested Action:

Dredge and fill 4822 square feet of palustrine forested wetland including 50 linear feet of intermittent stream impact for access in the subdivision of 127.17 acres into 37 single family residential lots and 4 open space lots.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this application.

APPROVE PERMIT:

Dredge and fill 4822 square feet of palustrine forested wetland including 50 linear feet of intermittent stream impact for access in the subdivision of 127.17 acres into 37 single family residential lots and 4 open space lots.

With Conditions:

1. All work shall be in accordance with plans by Brian L Bailey Associates Inc dated May 28, 2005, as received by the Department on March 19, 2005, and Subdivision Plans by Brian L Bailey and Associates dated January 26, 2005, and revised through June 4, 2004, as received by the Department on March 9, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be done during low flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. Silt fencing must be removed once the area is stabilized.
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h); Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00818 BEDFORD SCHOOL DISTRICT SAU-25
BEDFORD Unnamed Wetland

Requested Action:

Dredge and fill a total of 16,604 square feet of wetlands including 8,461 sq. ft. (6,240 sq. ft. and 2,220 sq. ft.) for access road construction; 600 sq. ft. for slope grading; and 7,544 sq. ft. (4,390 sq. ft. and 3,125 sq. ft) for lot development, for construction of a high school for the Town of Bedford.

Approve as mitigation conservation easements on a total of 11.4 acres (total 5.8 acres of upland buffer, and 5.6 acres of wetland) consisting of two parcels: 7.2 acres on the project site; and 4.2 acres located on County Rd., Bedford, to be held by the Bedford Land Trust.

Conservation Commission/Staff Comments:

Conservation Commission recommends approval.

Inspection Date: 05/04/2005 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill a total of 16,604 square feet of wetlands including 8,461 sq. ft. (6,240 sq. ft. and 2,220 sq. ft.) for access road construction; 600 sq. ft. for slope grading; and 7,544 sq. ft. (4,390 sq. ft. and 3,125 sq. ft) for lot development, for construction of a high school for the Town of Bedford.

Approve as mitigation conservation easements on a total of 11.4 acres (total 5.8 acres of upland buffer, and 5.6 acres of wetland) consisting of two parcels: 7.2 acres on the project site; and 4.2 acres located on County Rd., Bedford, to be held by the Bedford Land Trust.

With Conditions:

1. All work shall be in accordance with revised plans by Meridian Land Services Inc. dated 6/1/2005, as received by the Department on 6/9/2005.
2. This permit shall supercede permit 2003-2327, for 29,875 square feet of wetlands impact for the expansion of the McKelvie School site, which is no longer needed.
3. This permit is contingent on the approval and conditions of the NPDES permit.

4. This permit is contingent on approval by the DES Site Specific Program.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be properly rip rapped.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Work shall be done during low flow.
16. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

Wetland preservation:

1. This permit is contingent upon the execution of conservation easements on a total of 11.4 acres (total 5.8 acres of upland buffer, and 5.6 acres of wetland) consisting of two parcels: 7.2 acres on the project site; and 4.2 acres located on County Rd., Bedford, to be held by the Bedford Land Trust, as depicted on plans by Meridian Land Services, Inc. entitled "Conservation Easement Plan, Map, Lot 21-24" dated 7/26/2005, and received by DES on 8/1/2005; and as depicted on plans by Meridian Land Services, Inc. entitled "Conservation Easement Plan, Lot 20-26" dated 7/25/2005, and received by DES on 8/1/2005.
2. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects that involve 20,000 sq. ft. of impact to non-tidal

wetlands in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The project will provide the Town of Bedford with its own high school, eliminating the Town's dependency on sending students to Manchester high schools, and is in the public interest.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The applicant has avoided impacts to wetlands to the greatest extent practicable, and for those impacts that are unavoidable, the applicant has provided mitigation in the form of a total of 11.4 acres of conservation easement on two parcels, to be held by the Bedford Land Trust, that exceeds the requirements set out in Administrative Rule Wt 803.05, Compensatory Mitigation Ratios.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. With respect to the state-listed Eastern Hognose Snake, a sighting occurred on another property in the general area of the project, which possesses the appropriate habitat for this species. The project site does not have the appropriate habitat, and is further separated from the sighting property by the project property's conservation easement area.

5. DES Staff conducted a field inspection of the proposed project on May 4, 2005. Field inspection determined that some impacts could be further minimized, which the applicant has subsequently done. The conservation easement areas were also inspected and found to represent appropriate mitigation for the wetland functions lost as a result of the project.

2005-01000 OCONNELL, TIM & AMY

LISBON Unnamed Wetland

Requested Action:

Dredge and fill 5,400 sq. ft. in wet meadow and palustrine forested wetland to install an 18 in. x 20 ft. culvert for access to a building site on a 5.16-acre residential lot.

APPROVE PERMIT:

Dredge and fill 5,400 sq. ft. in wet meadow and palustrine forested wetland to install an 18 in. x 20 ft. culvert for access to a building site on a 5.16-acre residential lot.

With Conditions:

1. All work shall be in accordance with plans by Lobdell Associates (undated plan) in wetlands application dated 4/27/05, as received by the Department on May 13, 2005.
2. Work shall be done during low flow or seasonally dry conditions.
3. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
5. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), less than 20,000 sq. ft. of alteration in nontidal wetlands, which exceeds the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-01409 NH DEPT OF TRANSPORTATION
NORTHWOOD Wet Meadow**

Requested Action:

Repair concrete inside a 10 ft. x 8 ft. box culvert (50 sq. ft. temporary) and impact a total of 3,516 sq. ft. of palustrine wetland and 82 linear feet of intermittent stream to improve drainage by installing inlets, underdrain and protect outlets. NHDOT project #13336.

APPROVE PERMIT:

Repair concrete inside a 10 ft. x 8 ft. box culvert (50 sq. ft. temporary) and impact a total of 3,516 sq. ft. of palustrine wetland and 82 linear feet of intermittent stream to improve drainage by installing inlets, underdrain and protect outlets. NHDOT project #13336.

With Conditions:

1. All work shall be in accordance with plans by NHDOT dated 4/1/05 as received by the Department on June 23, 2005 and per the amended application and plans received August 2, 2005.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,00 sq. ft. on nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The original application was for 50 sq. ft. of temporary impacts and the amended application includes additional impacts of 3,466 sq. ft. for drainage structures.
6. The species of concern identified in the general area should not be impacted and has been coordinated with NH Fish and Game by the NH Dept. of Transportation.

MINIMUM IMPACT PROJECT

**2004-02384 BLACKHAWK REALTY TRUST
LACONIA Lake Winnepesaukee**

Requested Action:

Approve name change to: Michael & Elizabeth Hurley, 9 Paradise Dr., Laconia NH 03246 per request received 8/22/2005.

Conservation Commission/Staff Comments:

Con. Com. questioned frontage for docking structure.

APPROVE NAME CHANGE:

Install a 4 ft x 40 ft seasonal pier and a seasonal watercraft lift accessed by 4 ft wide access steps constructed over the bank on 50 ft of frontage along Paugus Bay, in Laconia, leased from the NH Department of Transportation.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised November 9, 2004, as received by the Department on November 12, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The applicant shall file a completed Certificate of Completion pursuant to Wt 502.04.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these structures were not constructed in accordance with plans or lease stipulations.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
7. This permit does not allow for maintenance dredging.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. No portion of the docking structure shall extend more than 40 ft lakeward at full lake elevation of 504.32 ft.
10. There shall be no alterations of the shoreline or bank for the construction of the docking facility or access stairway.
11. Seasonal structures shall be removed for the non-boating season.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2005-01134 HAGERMAN, MARK
NOTTINGHAM Pawtuckaway Lake

Requested Action:

In-kind repairs to a grandfathered, seasonal 8'x17' pier and 10'x10' float and increase the width of the ramp to 5'x6' for safety on Pawtuckaway Lake with 68' of shoreline frontage.

Conservation Commission/Staff Comments:

The Nottingham Conservation Commission did not sign the Minimum Impact Expedited Application.

APPROVE PERMIT:

In-kind repairs to a grandfathered, seasonal 8'x17' pier and 10'x10' float and increase the width of the ramp to 5'x6' for safety on Pawtuckaway Lake with 68' of shoreline frontage.

With Conditions:

1. All work shall be in accordance with plans by Mark F. Hagerman as received by the Department on July 12, 2005.
2. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a) Construction or modification of a seasonal pier or wharf if no more than 2 slips, including previously existing slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01287
CONCORD

UNITIL - CONCORD ELECTRIC CO

Requested Action:

Excavate 20 sq.ft. of bank of the Merrimack River to install fiber optic cable on the existing Unitil utility pole to provide a network to improve the current state network capacity.

APPROVE PERMIT:

Excavate 20 sq.ft. of bank of the Merrimack River to install fiber optic cable on the existing Unitil utility pole to provide a network to improve the current state network capacity.

With Conditions:

1. All work shall be in accordance with plans by McFarland-Johnson, Inc. dated May 25, 2005, as received by the Department on June 7, 2005.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Work shall be done during low flow.
5. Area shall be regraded to original contours following completion of work.
6. The applicant shall notify in writing NHDES Wetlands Bureau and the Concord Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
7. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
8. NH Fish and Game reserves the right to inspect the proposed project area for bird kills.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), the project has been deemed a minimum impact by the department based on the degree of environmental impact; temporary impacts up to 20 square feet of bank in order to replace existing pole and install a fiber optic cable.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03 [see page 2 of consultant report].
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided responses to each of the comments made by the Upper Merrimack River Local Advisory Committee(UMRLAC).
6. The UMRLAC questioned the need for impacts within the bank versus landward of the river bank. The replacement pole, per amendment dated July 12, 2005 and received by DES on July 14, 2005 will be replacing a pole directly adjacent to existing pole, an area that is already disturbed. Impacts from the replacement pole will be within the 20 square foot impact area described for the directional drill, therefore, will not further destabilize the bank.
7. The disturbance proposed will be minimal and it will only temporarily impact the river bank.
8. Alternative methods of cost sharing were attempted, but rejected.
9. No concerns from NHI; indicated we should consult with NH fish and Game.
10. NH Fish and Game requested the right to inspect the proposed project area for bird kills.

2005-01307 BROWN, STEPHEN
CHATHAM Unnamed Wetland

Requested Action:

Dredge 16,360 square feet of palustrine forested wetland to construct a dugout pond for fire suppression.

APPROVE PERMIT:

Dredge 16,360 square feet of palustrine forested wetland to construct a dugout pond for fire suppression.

With Conditions:

1. All work shall be in accordance with plans by Dave Weathers dated May 2005, as received by the Department on June 13, 2005.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Pond outlet shall be properly rip rapped.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p), as wetland impacts for the construction of a pond are less than 20,000 square feet within poorly drained soils.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01391 GREENFIELD, TOWN OF
GREENFIELD Unnamed Wetland

Requested Action:

Dredge and fill 2,070 sq. feet to install a 15 inch x 40 foot cross culvert at the outlet of a bog adjacent to New Boston Road and to elevate the road to improve drainage. Dredge and fill 100 sq. ft. to replace an existing 1 ft. x 2 ft. granite box culvert with a 36 in. x 60 ft. culvert and riprap in an intermittent stream under New Boston Road.

Inspection Date: 08/11/2005 by Sandra Crystall

APPROVE PERMIT:

Dredge and fill 2,070 sq. feet to install a 15 inch x 40 foot cross culvert at the outlet of a bog adjacent to New Boston Road and to elevate the road to improve drainage. Dredge and fill 280 sq. ft. to replace an existing 1 ft. x 2 ft. granite box culvert with a 36 in. x 60 ft. culvert and riprap in an intermittent stream under New Boston Road.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers, dated 8/5/02, as received by the Department on June 20, 2005, and revised information prepared by Wyatt Fox and received on August 15, 2005 and August 17, 2005.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
4. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Silt fence(s) must be removed once the area is stabilized.
7. Submit a post-construction report documenting the status of the work, with photographs, to the Wetlands Bureau within 45 days of installation and replacement of the culverts.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(o), deemed minimum impact based on the low potential for environmental impact and the location of the existing road.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 11, 2005. Field inspection determined that impacts to the wetlands resources will be minimal, as the road currently extends along the downgradient side of the bog and by diverting the outflow through a culvert during high water periods, the water will carry fewer pollutants from the road surface to the downstream forested wetland, as well as address a safety issue for vehicular traffic.

FORESTRY NOTIFICATION

2005-01784 JENKS, ALBERT T.
NEW IPSWICH Unnamed Stream

COMPLETE NOTIFICATION:
New Ipswich Tax Map 1, Lot# 30

2005-01862 LORD, CHARLES
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanton Tax Map 13, Lot# 21

2005-01899 WEBSTER FARM, ELLEN FARAN & EMILY CRANE
BRIDGEWATER Unnamed Wetland

COMPLETE NOTIFICATION:
Bridgewater Tax map 205, Lot# 4

2005-01900 WOOD, MATTHEW & HEATHER
MEREDITH Unnamed Wetland

COMPLETE NOTIFICATION:
Meredith Tax Map 52, Lot# 4

2005-01901 MESSER REVOCABLE TRUST, ROBERT
NEW LONDON Unnamed Wetland

COMPLETE NOTIFICATION:
New London Tax Map 46, Lot#4

2005-01909 AHO, TERRY
JAFFREY Unnamed Stream

COMPLETE NOTIFICATION:
Jaffrey Tax Map 256, Lot# 3.2

EXPEDITED MINIMUM

2005-01114 PATTERSON, DALE
CANTERBURY Cold Brook

Requested Action:
Impact 90 square feet within the bed and banks of an unnamed perennial stream to install a 36-inch by 20-foot culvert for access to

a single family residential lot.

Conservation Commission/Staff Comments:

The Canterbury Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 90 square feet within the bed and banks of an unnamed perennial stream to install a 36-inch by 20-foot culvert for access to a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Dale Patterson dated July 5, 2005, as received by the Department on July 15, 2005.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
6. No fill shall be done for lot development.
7. No fill shall take place in Atlantic white cedar swamps.
8. Work shall be done during low flow conditions.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01222 HANCOCK, TOWN OF
HANCOCK Unnamed Stream

Requested Action:

Impact 120 square feet of roadside drainage ditch to install a 15-inch culvert beneath Old Hancock Road to protect the existing road bed from being washed out.

Conservation Commission/Staff Comments:

The Hancock Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 120 square feet of roadside drainage ditch to install a 15-inch culvert beneath Old Hancock Road to protect the existing road bed from being washed out.

With Conditions:

1. All work shall be in accordance with plans by Kurtis J. Grassett dated May 31, 2005, as received by the Department on July 12, 2005.
2. Work shall be done during low flow conditions.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Culvert outlets shall be protected and the contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01497 LAWRENCE, STEVE & ROGER BEAUDION
PITTSFIELD Unnamed Wetland

Requested Action:

Fill 924 sq ft of scrub/shrub wetland and install an 18 in x 42.5 ft culvert for driveway access to a single family dwelling in a two lot subdivision.

APPROVE PERMIT:

Fill 924 sq ft of scrub/shrub wetland and install an 18 in x 42.5 ft culvert for driveway access to a single family dwelling in a two lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated 08/12/05, as received by the Department on 08/15/05.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no impacts to the perennial stream or its banks at the proposed bridge crossing.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of 924 sq ft of scrub/shrub wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2005-01689 THOMSON PROPERTIES LP, STACEY
ORFORD Unnamed Stream**

Requested Action:

Dredge and fill 1,350 square feet (includes 350 feet of temporary impact) to install a 36 in. x 48 ft. culvert in an intermittent stream for a shared driveway to two residential lots in a seven-lot subdivision on 69.6 acres.

Conservation Commission/Staff Comments:

No comments received from the River Local Advisory Committee.

APPROVE PERMIT:

Dredge and fill 1,350 square feet (includes 350 feet of temporary impact) to install a 36 in. x 48 ft. culvert in an intermittent stream for a shared driveway to two residential lots in a seven-lot subdivision on 69.6 acres.

With Conditions:

1. All work shall be in accordance with plans by FORECO dated 06/03/2005 with last revision of 07/20/2005, as received by the Department on 07/25/2005.
2. This permit is contingent on approval by the DES Site Specific Program, or written confirmation from DES that the project is below the permitting threshold.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 4 of this approval.
6. Work shall be done during low flow.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
10. No fill shall be done for lot development.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. Proper headwalls shall be constructed within seven days of culvert installation.

15. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

TRAILS NOTIFICATION

2005-01834 WHITEFACE INTERVAL 2001 TRUST, GOERGE BATES
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:

Sandwich Tax Map R6, Lot# 5

2005-01896 ARBORS INDEPENDENT LIVING LLC
BEDFORD Unnamed Wetland

COMPLETE NOTIFICATION:

Bedford Tax Map 24, Lot# 3-2

2005-01906 PEPIN TRUST, LEO
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:

Success Tax Map 1612, Lot# 7

Berlin Tax Map 137, Lot# 135

2005-01907 TR DILLON LOGGING
SUCCESS Unnamed Stream

COMPLETE NOTIFICATION:

Success Tax Map 1612, Lot# 7

LAKES-SEASONAL DOCK NOTIF

2005-01894 FORGRAVE, BENJAMIN
JAFFREY Contoocook Lake

COMPLETE NOTIFICATION:

Jaffrey Tax Map 243, Lot# 10 Contoocook Lake

2005-01895 LAWLER, CHRISTOPHER
SANDWICH Squam Lake

COMPLETE NOTIFICATION:
Sandwich Tax Map R21, Lot# 35 Squam Lake

2005-01952 SHERMAN 1994 REVOC. TRUST, JOHN
MOULTONBOROUGH Lake Winnepesaukee

COMPLETE NOTIFICATION:
Green's Grant Tax Map 1605, Lot# WMNF

ROADWAY MAINTENANCE NOTIF

2005-01944 HANCOCK, TOWN OF
HANCOCK Unnamed Stream

2005-01949 NH DEPT OF TRANSPORTATION, DISTRICT ONE
WHITEFIELD Unnamed Stream

2005-01950 WARNER, TOWN OF
WARNER Unnamed Stream

2005-01951 GORHAM, TOWN OF
GORHAM Unnamed Stream Drainage Ditch